

<p align="center"><b>9 ARRESTEE TRACKING</b></p>	<p align="center">Page 1 of 2</p>
<p align="center"><b>DNA DATA BANK OPERATING POLICIES AND PROCEDURES MANUAL</b></p>	<p align="center">Issue No.: 2</p>
	<p align="center">Effective Date: 15-October-2004</p>
<p><b>9 ARRESTEE TRACKING</b></p> <p>9.1 In conjunction with the Virginia State Police (VSP), the DFS will track all arrestee samples to determine if the arrestee has been convicted of a felony for which he/she was arrested, the charges are still pending, or the charges have been reduced or dismissed. If an arrestee's charges have been dismissed or reduced to a non-qualifying offense in accordance with the Code of Virginia §19.2-310.2:1, the sample must be destroyed and all records thereof.</p> <p>9.1.1 On Tuesday evening of each week the Division's IT section will forward to the VSP the arrestee information for all samples that were received and entered into the DNA tracking computer from the previous week. The VSP will verify the information against the current records provided by the Clerks of Court. Subsequently the VSP will provide four separate reports to the Division listing the status of each arrestee (e.g., report 1: Felon Report, report 2: DCN Mismatch Report, report 3: Cleared Report, and report 4: Names Report).</p> <p>9.1.1.1 If an arrestee is listed on the "Felon Report" sent by the VSP, the individual has been convicted of the felony for which he/she was arrested or was convicted of a prior felony after July 1, 1990 or a sex offense after July 1, 1989. The DNA profile for the arrestee will be transferred by the State CODIS Administrator or his designee from the arrestee index to the offender index and subsequently transferred to the National DNA Index System (NDIS). The CODIS Administrator will document the change in CODIS by initialing and dating the report provided by the VSP. This report will then be stored in the "Arrestee Upgraded To Felon" notebook.</p> <p>9.1.1.2 If an arrestee is listed on the "DCN Mismatch Report" assigned by the VSP, the charges against the individual are still pending. No further action will be taken with this sample. The report provided by the VSP listing the arrestees who still have pending charges against them will be shredded within a month from date of receipt to provide sufficient time to resolve all issues associated with the pending samples.</p> <p>9.1.1.3 If an arrestee is listed on the "Cleared Report" assigned by the VSP, the charges against the individual have been reduced, dismissed, nolle prosequi, or the individual has been cleared of all charges. When this occurs the arrestee's sample will be destroyed and the associated identifying information will be removed from the DNA Data Bank tracking computer, the LIDS website (<a href="http://www.scb.state.va.us">www.scb.state.va.us</a>) and CODIS.</p> <p>9.1.1.3.1 The destruction of the sample will be witnessed and documented on the arrestee cleared report provided by the VSP. The documentation will include the initials of the individual who destroyed the sample and the date, as well as the initials of the individual who witnessed the destruction. In addition, the cleared report will also include the initials of the individual who removed the electronic records from the DNA Data Bank tracking computer, the LIDS website and CODIS and the date the records were removed.</p> <p>9.1.1.3.2 The cleared report listing the arrestees who have had all charges dropped against them or the charges have been reduced will be maintained in the "Arrestee Sample Destruction Book" once the samples and associated records have been destroyed.</p>	

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<div> <div> <p>9.1.1.4 If an arrestee's name and associated information is listed on the "Names Report" provided to the DFS, this indicates there is a difference in the information that the VSP has on record from the information the DFS has on record or no such individual exists at that time in the VSP database. An authorized member of the DNA Data Bank will use VCIN to search for the arrestee's correct information.</p> <p>9.1.1.4.1 Once the arrestee's information has been located in VCIN, the spelling of the name and other associated arrestee information the DFS has on record will be compared to the information the VSP has on record.</p> <p>9.1.1.4.2 If all of the identifying information is correct with only a slight discrepancy, such as gender, spelling of first or last name, part of the date of birth, social security number, or DCN, the necessary change(s) will be made in the DNA Data Bank tracking computer to match the VCIN records. In addition, in the comments field of the tracking computer, the original information will be listed along with the changes made (e.g., changed from Darryll to Darryl to match VCIN records).</p> <p>9.1.1.4.3 If no record is obtained when the arrestee information is searched, the arrestee's information will be re-searched in two weeks to provide sufficient time for the VSP to receive the arrestee record from the Clerk of Court.</p> </div> <div> <p>9.2 An electronic file will be maintained for all arrestee samples that have been destroyed in order to track the number of arrestee samples destroyed and the purpose for the destruction of the sample and associated records. No identifying information will be maintained in this file. Only the purpose for the destruction of the sample (e.g., charges reduced, charges dismissed/nolle prosequi, acquitted, or a non-qualifying offense) will be listed. The purpose for the cleared status will be determined using the information provided in VCIN.</p> <p>9.3 On a weekly basis the DFS will electronically send a file to the Virginia State Compensation Board IT Section containing a list of all new arrestee and convicted offender samples that have been added to the DNA Data Bank tracking computer. This information will subsequently be transferred to the LIDS website for use by user agencies to determine whether a blood, buccal or tissue sample has been previously collected from an arrestee or a convicted offender.</p> </div> </div> <p align="right"><b>◆END</b></p>	